

Appl. No.: 09/240,275

Amdt. dated: May 1, 2006

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### **REMARKS/ARGUMENTS**

Upon entry of the instant amendment, claims 1-6, 8-16, and 18-20 are pending. Claims 3, 4, 13, 14, and 18-20 have been allowed. Claims 1, 5, 8, 11, and 15 have been amended to more particularly point out the applicant's invention. It is respectfully submitted that the application is in condition for allowance.

### **CLAIM REJECTIONS – 35 U.S.C. § 102**

Claims 1, 2, 5, 6, 8-12, 15, and 16 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Rijns, U.S. Patent No. 5,832,039 ("the Rijns patent"). In order for there to be anticipation, each and every one of the elements must be disclosed in a single reference. It is respectfully submitted that the Rijns patent does not disclose all of the elements recited in the claims at issue. In particular, each of the rejected claims recites that the decision boundary is adjusted as a function of the actual difference between received signals. It is respectfully submitted that the Examiner has mischaracterized the teachings of the Rijns patent. In particular, it is respectfully submitted that averaging the positive envelope (PE) and the negative envelope (NE) is simply averaging at a given point in time the positive and negative envelope of a single bit of a data signal. The Rijns patent does not disclose or suggest that the distance between different signals or bits is actually determined, as recited in the claims at issue.

The Examiner's attention is directed to Fig. 4, which illustrates the circuit for generating the PE and NE signals. As the Examiner will kindly note, the PE and NE signals are provided by a pair of sample and hold circuits 8 and 9 respectively. These data signals are under the control of a comparator number 4.

The actual data signal is illustrated in Fig. 1f. The actual bit strain is illustrated in Fig. 1a. As shown, each bit has a positive peak and a negative peak. Thus, the demodulation technique taught by the Rijns patent is simply averaging the positive and negative peaks of each bit. It does not teach or suggest measuring the difference between signals or bits and adjusting


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the decision boundaries accordingly, as recited in the claims at issue. For all of the above reasons, the Examiner is respectfully requested to reconsider and withdraw the rejection of claims 1, 2, 5, 6, 8-12, 15, and 16.

Respectfully submitted,

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